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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/582,311

06/09/2006

Jochen Kunze

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08/20/2008

REISING, ETHINGTON, BARNES, KISSELLE, P.C.

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EXAMINER

NGUYEN, DONGHAI D

ART UNIT

PAPER NUMBER

3729

MAIL DATE

DELIVERY MODE

08/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/582,311	Applicant(s) KUNZE ET AL.	
	Examiner DONGHAI D. NGUYEN	Art Unit 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/05/07</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Information Disclosure Statement

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It was not executed in accordance with either 37 CFR 1.66 or 1.68. Only the second inventor is signed and dated declaration.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 20-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Japan Patent Publication Number 06-334,223 to Murata et al (see machine translation attached herein).

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Regarding claim 20, Murata et al disclose a method for creating a light assembly including a light-emitting diode (4) and a printed circuit board (1) having conductors printed thereon (see Par 16), the method comprising the steps of: positioning the light-emitting diode (4) on the printed circuit board (1); connecting the light-emitting diode to the printed circuit board (see Fig. 1); positioning the light-emitted diode and the printed circuit board in a mold (5/6); and injecting a thermoplast (see Par. 18) into the mold such that the thermoplast extends on both sides of the printed circuit board and over the light-emitting diode (see Fig. 1).

Regarding claim 21, Murata et al disclose forcing the thermoplast through a hole (3) in the printed circuit board (1).

Regarding claim 22, Murata et al disclose orienting the light-emitted diode (4) below the printed circuit board (1, in the cavity 2) before positioning the printed circuit board in the mold.

Regarding claim 23, Murata et al disclose aligning the light-emitted diode (4) with respect to the conductors on the printed circuit board (see Par. 16).

Regarding claim 24, Murata et al disclose aligning the light-emitted diode (4) with an edge of the hole (3, see Fig. 1).

Regarding claim 25, Murata et al disclose forming an optical lens (formed cavity 5d) with the thermoplast (see Fig. 1).

Regarding claim 26, Murata et al disclose electrically connecting the light-emitting diode (4) to the printed circuit board (1) with a bond wire (4a).

Regarding claim 27, Murata et al disclose encasing the bond wire (4a) in the thermoplast (see Fig. 1).

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Regarding claim 28, Murata et al disclose the thermoplast forms a light distributing element on the side of the printed circuit board to which the light-emitting diode is connected (see Fig. 1).

Regarding claim 29, Murata et al disclose forming a fastening section (formed by thermoplast in cavity 6a) of the thermoplast on a side of the printed circuit board (1) opposite the side to which the light-emitted diode is connected (see Fig. 1).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art reference cited for their teaching of manufacturing a light assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DONGHAI D. NGUYEN whose telephone number is (571)272-4566. The examiner can normally be reached on Monday-Friday (9:00-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter D. Vo can be reached on (571)-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN
August 18, 2008

/Donghai D. Nguyen/
Primary Examiner, Art Unit 3729